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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/730,943	12/10/2003	Sung-Hwan Lee	Q77652	7087

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SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
AVELLINO, JOSEPH E	

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/730,943	LEE, SUNG-HWAN	
	Examiner	Art Unit	
	Joseph E. Avellino	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *09 July 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *5/13/05*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-23 are pending in this examination; claims 1 and 14 independent.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 9, 12-21, and 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Hayes et al. (US 2003/0189509) (hereinafter Hayes).

3. Referring to claim 1, Hayes discloses a private network system with a ubiquitous service function comprising:

at least one aware-device (i.e. client device/remote controller 10/302, Figure 17) connected to one or more electronic appliances (i.e. TV/VCR appliances) in which said at least one aware-device senses context information related to a user and an environment (i.e. proximal devices requiring configuration to work with remote controller 10/302, which inherently discloses where the user is), and is inputted with a service

request command (i.e. "POWER ON" key to receive "squawk signal" which identifies the electronic appliance to configure controller for) (Figure 3; p. 6, ¶ 61); and

a server (i.e. device database server 300) for acquiring service data (i.e. command code library stored in the server 300) related to the user and the environment and the service request command (i.e. identity information/"squawk signal" response from the remote control 10), which are transmitted from said at least one aware-device, and for transmitting the acquired service data to said at least one aware-device (p. 7, ¶ 63-64).

4. Referring to claim 2, Hayes discloses the server transmits operation control signals (i.e. code libraries) for controlling an operation of said one or more electronic appliances connected to at least one aware-device based on the context information related to the user and the environment and the service request command, which are transmitted from said at least one aware-device (p. 7, ¶ 63).

5. Referring to claim 3, Hayes discloses transmitting the operation control signals to said one or more appliances connected to at least one aware-device, whereby the operation of said one or more electronic appliances is controlled (p. 7, ¶ 63).

6. Referring to claim 4, Hayes discloses the aware-device comprises:

a sensing unit for sensing the context information related to the user and the environment (i.e. receiver used to receive device and function identity information from

DAS transmission, from a barcode label, entered from a UPC or other code, etc. used to directly access information in the database) (Figure 1, ref. 44; pp. 2-3, ¶'s 26-35; p. 6, ¶ 59);

a device communication unit for performing data communication with said one or more electronic appliances and the server connected thereto (Figure 1; ref. 32, 34, and 42; p. 6, ¶ 59-61);

a device control unit for processing the sensed context information related to the user and the environment, and the inputted service request command, into predetermined data (Figure 1, ref. 24; pp. 1-2, ¶ 22);

an output unit for outputting the service data transmitted from the server to at least one of said one or more electronic appliances (Figure 1, ref. 32-33; pp. 1-2, ¶ 22; p. 7, ¶ 63),

wherein the device control unit individually controls the sensing unit, the device communication unit, and the output unit (this is an inherent feature of the system since all parts of the remote are controlled by the microprocessor) (pp. 1-2, ¶ 22).

7. Referring to claim 5, Hayes discloses the service request command is inputted into said at least one aware-device by way of the sensing unit of said aware-device (i.e. user pushes the "Power On" button to initiate squawk listening) (Figure 3; p. 2, ¶ 26).

8. Referring to claim 6, Hayes discloses the device control unit (i.e. microprocessor) controls the operation of the electronic appliances based on the sensed context

information related to the user and the environment (i.e. the remote control controls the appliances based on the sensed identity information and retrieved code libraries from the database server) (p. 7, ¶ 63).

9. Referring to claim 7, Hayes discloses the server comprises:

a server communication unit for performing data communication with said at least one aware device (i.e. remote control/client device 10/302) and an external network (i.e. the internet seen in Figures 14-17) (pp. 6-7, ¶'s 60-64);

a storage unit (i.e. device database 300) for storing the context information related to the user and the environment (i.e. warranty information and registration) and information to the one or more electronic appliances, and information related to the one or more electronic appliances connected to said at least one aware-device (p. 7, ¶ 63, 66); and

a server control unit for acquiring the service data corresponding to the context information related to the user and the environment and the service request command, which are transmitted from said at least one aware-device, by using the storage unit and the external network, and for controlling the server communication unit to transmit the service data to said at least one aware-device (p. 7, ¶ 63).

10. Referring to claim 9, Hayes discloses the server control unit controls whether the service data should be outputted or not based on the context information related to the user and the environment transmitted from the aware-device (i.e. only the service data,

i.e. command code library related to the identity information received from the remote control/client 10/302 is transmitted back to the remote control) (p. 7, ¶ 63).

11. Referring to claim 12, Hayes discloses the private network is a home network system (the Office takes the term "home network" to be defined as it is taken in the art to mean "at least two computers communicating through a medium") (Figure 19).

12. Referring to claim 13, Hayes discloses the aware-device is contained in an electronic appliance (a remote is an electronic appliance) (Figure 1).

13. Claims 14-21, and 24-25 are rejected for similar reasons as stated above.

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 8, 10, and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayes in view of Maymudes (USPN 6,748,278).

15. Referring to claim 8, Hayes discloses the invention substantively as described in claim 7. Hayes does not specifically state the server control unit controls the operation of the electronic appliances connected to the aware-device based on the context information related to the user and the environment and the service request command, which are transmitted from the aware-device. In analogous art, Maymudes discloses another private network system with ubiquitous service functions wherein the server control unit (i.e. computer facilitator, 202) controls the operation of the electronic appliances (i.e. controlled device 206) connected to the aware-device (i.e. remote controller 204) based on the context information (i.e. controller output request) related to the user and the environment and the service request command, which are transmitted from the aware-device (i.e. translates command from remote controller to the controlled device) (e.g. abstract; Figure 2; col. 3, line 55 to col. 4, line 5). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Maymudes with Hayes in order to improve remote controlled systems that enable inexpensive controllers to control multiple different devices without the hassles of pre-programming such controllers as supported by Maymudes (col. 1, lines 40-45).

16. Referring to claim 10, Hayes discloses the invention substantively as described in claim 7. Hayes does not specifically state the server control unit selects at least one of the one or more electronic appliances for outputting the service data and controls the operation of the selected appliance based on the context information related to the user, the environment and the service request command, which are transmitted form said at

least one aware-device. In analogous art, Maymudes discloses another private network system with ubiquitous service functions wherein the server control unit (i.e. computer facilitator, 202) selects at least one of the one or more electronic appliances for outputting the service data and controls the operation of the selected appliance based on the context information related to the user, the environment and the service request command, which are transmitted form said at least one aware-device (i.e. based on the response from the remote control, the server engages the appliance in an action) (Figure 3, ref. 300-306). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Maymudes with Hayes in order to improve remote controlled systems that enable inexpensive controllers to control multiple different devices without the hassles of pre-programming such controllers as supported by Maymudes (col. 1, lines 40-45).

17. Referring to claim 11, Hayes in view of Maymudes discloses the invention substantively as described in claim 10. Hayes does not specifically state the server converts the service data into a data format suitable for the selected appliance. In analogous art, Maymudes discloses another private network system with ubiquitous service functions wherein the server control unit converts (i.e. translates) the service data into a data format suitable for the selected appliance (e.g. abstract). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Maymudes with Hayes in order to improve remote controlled systems that enable inexpensive controllers to control multiple different devices without

the hassles of pre-programming such controllers as supported by Maymudes (col. 1, lines 40-45).

18. Claims 22 and 23 are rejected for similar reasons as stated above.

Response to Arguments

19. Applicant's arguments filed July 8, 2005 have been fully considered but they are not persuasive.

20. In the remarks, Applicant argues, in substance, that (1) Hayes does not disclose at least one aware-device senses context information related to a user and an environment, (2) Hayes does not disclose an aware-device inputted with a service request command, (3) Maymudes does not disclose a component that corresponds to the claimed aware device, (4) Hayes teaches away from that which is disclosed in Maymudes.

21. As to point (1), Applicant is misconstruing the Examiner's statements. The Examiner stated that the environment is the proximal devices, the proximal devices do not sense where the user is. The aware device (i.e. the remote controller) senses where the user is (by where the devices in the location are) and then retrieves the identity information from the server in order to control the device. By this rationale, the rejection is maintained.

22. As to point (2) Applicant does not disclose what it is meant by a "service request command" input. Therefore Applicant intends broad interpretation in the claim, and the Office has interpreted as such. The Office interprets this "squawk signal" from the electronic device as well as the key on the remote control 10 can be actuated to generate an event which causes the processor 24 to place the remote control in a receive mode to listen for a transmitted squawk signal (p. 2, ¶ 26). This clearly supports the rationale the remote control is inputted with a service request command. By this rationale, the rejection is maintained.

23. As to point (3) the Office is not using the reference of Maymudes to refute the limitation of the aware-device sensing context information related to the user and an environment. This limitation has been addressed in Hayes (see above rejections and response to arguments point 1, ¶ 21). Maymudes is being used to refute the limitation that the server control unit controls the operation of the electronic appliances connected to the aware-device based on the context information related to the user and the environment and the service request command. The remote control would know what devices are nearby due to the computer facilitator sending the UI components to the remote controller (Figure 3, 302) and would receive commands from the user (i.e. user input) and the service request command (the command the user inputted). This clearly demonstrates that the remote controller is equivalent to the claimed aware-device. By this rationale, the rejection is maintained.

24. As to point (4) as shown by the response to point (3), Maymudes is analogous art such that it is in the same field of endeavor as the claimed invention (i.e. a remote controller connected to a server in order to control devices). Furthermore Hayes does not teach away from Maymudes, since Maymudes is aware for the devices it is connected to, since it receives UI components for those devices. The term "aware" is being construed as knowledge that a device is proximal to the entity regardless as to who makes the entity aware of the devices. By this rationale, the rejection is maintained.

Conclusion

25. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JEA
July 21, 2005

WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER